

§ 169.119

[CGD 83-005, 51 FR 896, Jan. 9, 1986, as amended by CGD 88-072, 53 FR 34298, Sept. 6, 1988; CGD 89-037, 57 FR 41824, Sept. 11, 1992]

§ 169.119 Vessel status.

For the purpose of 46 U.S.C. 11101, 46 App. U.S.C. 291 and 46 App. U.S.C. 883 a sailing school vessel is not deemed a merchant vessel or a vessel engaged in trade or commerce.

§ 169.121 Loadlines.

Sailing school vessels must meet the applicable loadline regulations contained in Subchapter E (Load Lines) of this chapter.

Subpart 169.200—Inspection and Certification

CERTIFICATE OF INSPECTION

§ 169.201 When required.

(a) No sailing school vessel shall be operated without a valid Certificate of Inspection, Form CG-3753.

(b) Except as noted in this subpart, each sailing school vessel inspected and certificated under the provisions of this subchapter must, during the tenure of the certificate, be in full compliance with the terms of the certificate when carrying six or more individuals who are sailing school students or sailing school instructors.

(c) If necessary to prevent delay of the vessel, a temporary Certificate of Inspection, Form CG-854, is issued pending the issuance and delivery of the regular Certificate of Inspection, Form CG-3753. The temporary certificate is carried in the same manner as the regular certificate and is considered the same as the regular certificate of inspection which it represents.

§ 169.203 Description.

The certificate of inspection issued to a vessel describes the vessel, the route which it may travel, the minimum manning requirements, the major lifesaving equipment carried, the minimum fire extinguishing equipment and life preservers required to be carried, the maximum number of sailing school students and instructors and the maximum number of persons which may be carried, the name of the owner and operator, and such conditions of oper-

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ations as may be determined by the Officer in Charge, Marine Inspection.

§ 169.205 How to obtain or renew.

(a) A qualified organization attempting to obtain or renew a certificate of inspection for a vessel must submit to the Coast Guard Officer in Charge, Marine Inspection located in or nearest the port at which the inspection is to be made, the following—

(1) An application for inspection on Form CG-3752; and

(2) Evidence that the vessel has been designated as a sailing school vessel or an application for designation, as set forth in § 169.218; and

(3) Information concerning the program's age and physical qualifications for students and instructors and the ratio of students to instructors.

(b) The application for initial inspection of a vessel being newly constructed or converted must be submitted prior to the start of such construction or conversion.

(c) The construction, arrangement and equipment of all vessels must be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the issuance of the initial certificate of inspection. Acceptance will be based on the information, specifications, drawings and calculations available to the Officer in Charge, Marine Inspection, and on the successful completion of an initial inspection for certification.

(d) Certificates of inspection will be renewed by the issuance of new certificates of inspection.

(e) The condition of the vessel and its equipment must be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the certificate of inspection renewal. Acceptance will be based on the condition of the vessel as found at the inspection for certification.

§ 169.207 Period of validity.

(a) Certificates of inspection are issued for a period of two years.

(b) Certificates of inspection may be revoked, or suspended and withdrawn

by the Officer in Charge, Marine Inspection, at any time for noncompliance with the provisions of this subchapter or requirements established thereunder.

§ 169.209 Routes permitted.

(a) The area of operation for each vessel is designated by the Officer in Charge, Marine Inspection and recorded on its Certificate of Inspection. Each area of operation is described on the Certificate of Inspection under the major headings "exposed waters," "partially protected waters," or "protected waters," as applicable. Further limitations imposed or extensions granted are described by reference to bodies of waters, geographical points, distance from geographical points, distances from land, depths of channel, seasonal limitations, etc.

(b) Operation of vessels on routes of lesser severity than those specifically described or designated on the Certificate of Inspection are permitted, unless expressly prohibited on the Certificate of Inspection. The general order of severity is: exposed, partially protected, and protected waters.

§ 169.211 Permit to proceed for repair.

(a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repair, Form CG-948, to a vessel if in his judgment it can be done with safety even if the Certificate of Inspection of the vessel has expired or is about to expire.

(b) The permit is issued only upon the written application of the master, owner, or agent of the vessel.

(c) The permit states upon its face the conditions under which it is issued and that guests may not be carried when operating under the permit. The permit must be carried in a manner similar to that described in § 169.217(a) for a certificate of inspection.

§ 169.213 Permit to carry excursion party.

(a) A vessel may be permitted to engage in a temporary excursion operation with a greater number of persons and/or on a more extended route than permitted by its certificate of inspection when in the opinion of the Officer in Charge, Marine Inspection, the oper-

ation can be undertaken with safety. A "Permit To Carry Excursion Party" Form CG-949, is a prerequisite of such an operation.

(b) Any Officer in Charge, Marine Inspection, having jurisdiction may issue a permit to carry an excursion party upon the written application of the operator, owner or agent of the vessel.

(c) The OCMI will reevaluate the vessel's sailing instruction program to ensure that the permit fits within the scope of the training program and that the vessel continues to meet the definition of a sailing school vessel.

(d) The OCMI may require an inspection prior to the issuance of a permit to carry an excursion party.

(e) The permit states upon its face the conditions under which it is issued, a reminder about the prohibition against carrying passengers, the number of persons the vessel may carry, the crew required, and additional life-saving or safety equipment required, the route for which the permit is granted, and the dates on which the permit is valid.

(f) The permit must be carried with the certificate of inspection. Any vessel operating under a permit to carry an excursion party must be in full compliance with the terms of its certificate of inspection as supplemented by the permit.

§ 169.215 Certificate of inspection amendment.

(a) An amended certificate of inspection may be issued at any time by any Officer in Charge, Marine Inspection. The amended certificate of inspection replaces the original. An amended certificate of inspection may be issued to authorize and record a change in the character of a vessel or in its route, equipment, ownership, operator, etc., from that specified in the current certificate of inspection.

(b) A request for an amended certificate of inspection must be made to the Officer in Charge, Marine Inspection, by the master, operator, owner, or agent of the vessel at any time there is a change in the character of a vessel or in its route, equipment, ownership, operation etc., as specified in its current certificate of inspection.